

A
VINDICATION
OF THE
Present Settlement,
By Way of
ANIMADVERSION
On a Late
Seditious Pamphlet,
ENTITLED,
Dr. Sherlock's Case of Allegiance considered.

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Scribimus inclusi—

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T O T H E
R E A D E R.

That which I intend by these *Animadversions*, is not to vindicate Doctor Sherlock's Case of Allegiance, which I look upon to be as ill Stated and Resolv'd as ever Case was, and have therefore as ill an Opinion of it, as 'tis possible for the Considerer himself to have; but my Design hereby is to take the Considerer alone a little into Consideration, who, under Pretence of Writing a Book against the Doctor, has only took an occasion to make a Libel against the Establishment.

In his Preface to the Reader, he tells us, That had not his Papers been almost finished before he understood there were so many Pens drawn upon the Doctor, he should not, as he thinks, have either put himself, or any Body else, to any Trouble upon this Subject. However, says he, since the Doctor had hung out the Flag of Defiance, had sent a general Challenge, and seemed desirous to Charge a whole Party, he of all Men has no Reason to be disobliged for being Attacked from all Quarters.

Now in this Pen-Combate, and Paper-Quarrel, had the Doctor been the only Person that had been drawn upon, and assaulted, I could have been contented, as an unconcerned Spectator only, to have stood by and seen the Combate, and with Pleasure beheld the Doctor so pelted on all Hands, as to be oblig'd to Retreat, and forc'd at last to quit the Field.

But when I saw that it was their present Majesties that were attacked; that they were the Persons against whom the Pen was drawn; and that the Doctor was made use of only as a Property, the better, through his Sides, to strike at the Government, and wound the Establi-
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To the Reader.

ment by; I must confess I could then no longer content my self with being a bare Looker on, but was forc'd to draw my Pen likewise in the Scuffle, and in order to ward off the Blows, that I found levell'd against my Prince and Country, to single out this Author for my Adversary, and deal with him, as an Enemy to both: Whom therefore if I sometimes treat a little ruggedly, he has none but himself to thank for giving the Occasion.

And indeed since his Military Terms of drawing the Pen, and hanging out the Flag of Defiance, and sending Challenges, &c. seem to bespeak him a Man of the Sword, a home Thrust now and then, is no more than what may well suit with a person of his Character. Whether upon this Attack, he will think fit to put up the Pen he has drawn, and quit the Field or no, I cannot tell; however, be he resolv'd to keep it, or quit it, I will do the best I can, to wrest that two-edged Sword out of his Hand, which he so violently lays about him with, and under Pretence of slaying the Doctor, makes use of only to wound the Government by.

Take therefore, Reader, this Advertisement once for all, that my Business in taking up the Gantlet in this Quarrel between the Considerer and the Doctor, is not to come in to relieve the Doctor against the Considerer, but to see that the Government, for which alone I am concerned, receive no Damage by it.

A VINDICATION of the PRESENT SETTLEMENT,

By way of

Animadversion on a late Seditious Pamphlet,

ENTITLED,

Dr. Sherlock's Case of Allegiance considered.

THE Author of this Pamphlet does, I suppose, think he has written a very correct Piece; and bating those few Errata's of the Press, which with great diligence he has corrected, and placed at the beginning of his Book, he believes he may challenge his Reader to find others. But this Book being nothing else but a perfect Libel against the Government, the Errors of the Press in Printing it, are not, I find, to be corrected but by blotting out the whole thereof: And though by sculking about in the Dark, it has had the luck to see the Light, and come into the Hands of several, yet it deserv'd to come into none but those of the common Hang-man, and so to have seen no other Light but that of the Fire.

In his Preface to the Reader he tells us, That the Dr. gives hard Language to those of the Church of England, who absent themselves from the publick Communion, since the late alterations in the Service, which in *THEIR* Judgments are both sinful in the Matter, and defective in the Authority.

Now what hard Language the Dr. gives these Men, I know not; nor am I indeed concern'd to know (being resolv'd, as I have already advis'd the Reader, to have nothing to do with the Dr.) but would very fain know, if this Author, or any of his Fraternity would

would be so kind as to tell me, what the Judgment of a few of the *Lovestein* Party, who factiously stile themselves of the Church of *England*, signifies ; when oppos'd not only to the Judgment of a number of others much greater and better than themselves, but also to the Judgment of the great Council of the Nation ; who are not so defective in their Authority, I hope (whatever they are in their Judgment) but that they may sometime or other call this Author to an account for questioning the Power of it. Surely these Church of *England-men* our Author speaks of, are in a fair way of going over to the Church of *Rome* ; since by setting up their own private Judgment as a Standard to all others, they seem to lay claim to *Infallibility*. So that if it be the *Infalible* Church they are for, we have no more to say to them, but that we as little value their Judgment, as we desire their *Communion*.

From the Author's Preface we proceed to the Book it self ; where, Page the third, he inserts three Maxims of the Law ; the first whereof, he says, tells us, *That the King never dies* : The second, *That the King can do no wrong* : And the third, *That nullum tempus occurrit Regi* : That is, as he translates the words, no length of *Usurpation* can prejudice the King's Right.

Now to what end he inserted this Maxim in his Book, as he himself best knows, so it is not hard for us to guess : Certainly 'twas not to stop the Dr.'s Mouth, but slightly to open his own, and shew his Teeth against the present Establishment. However, let his end be what it will, we will a little consider his three Maxims, and see what use may be made of them.

As to the first, namely, *That the King never dies* ; I could heartily wish for his present Majesties sake, that it were literally true ; we need not then be concern'd for his exposing himself, as he does, to the Malice and bule Treachery of the French King, for the preservation of the *Liberties of Christendom* in general, and of those of this Nation in particular : But since this Maxim can be no charm to him against a Cannon or Pistol Bullet, or Preservation against the Force of Poison or Dagger ; he being as much exposed to these, as the very meanest of his Subjects, nay more than they ; Let us a little consider the force of this Maxim, and how far it may go to the making of a King of *England* Immortal.

Now 'tis plain, That this Maxim, as universal as it is, must be limited by another that is more Universal than it self ; and such is this following one, *Dictata, quantumvis universalia, equitatem semper admittunt*

admittunt interpretem ; the meaning whereof is, that Maxims, how universal soever, always admit of some Limitation from an equitable Interpretation of them : So that, notwithstanding this Maxim, which has made Provision against the *Civil Death* of Kings ; that is, the Extinction of their Titles to the Crown, there may yet several Cases happen, wherein Kings in *this Sense*, as well as in the common one, must die like other Men : And when the Case does happen, as it did in our late Revolution, the King, though alive in his Person, is to all Intents and Purposes of Government, as *perfectly Dead*, as if he were *really* and *actually* so.

For the *Right* of Succession to the Crown, or the *Continued* and *uninterrupted* possession thereof during Life, is not *so* fast linked to any Person, but that *Parliaments* for just Reasons of State, and for the Preservation of a People, which is the very *End* of Government, may break off the Link from one, and fasten it to another ; especially if a King be fully resolved and bent upon it, that either they *shall* break it off, or he will never leave Struggling with them, till he has pull'd them under the Tyranny of the French Government by it.

And that our Author may not say that all this is *gratis dictum*, or said without Proof ; I can, for the Proof hereof, cite him an Act as plain as can well be desired, and much more to the Purpose than any he has cited ; and 'tis that made in the Thirteenth of Queen *Elizabeth's* Reign : Which if he please to consult at his Leisure, he will find this Power of Parliaments, in *binding*, *limiting* and *altering* the Succession to the Crown, expressly declared ; and that with a severe Penalty annexed for any one, that shall call it in Question.

As to his Second Maxim, viz. *That the King can do no Wrong* ; if it be understood, as by some it is, That the King can do no wrong, *so* as to be called to an Account for it by *all*, or any of his Subjects ; I readily grant it : There being no Law, that I know of, that will allow them *so* to do. *This Maxim* therefore, in this Sense, with relation to the *Subject* holds true : But it does not *so*, with Relation to a *Sovereign Prince*, and one that is *no* Subject ; to whom the King may do wrong, *so* as to be accountable for it, and the Prince call him to an Account for the Wrong he does him, by the Right he has of making War on him, and endeavouring to Redress himself by an Appeal to the Event of it : And if, in coming to vindicate his *own* Right, he endeavours likewise to vindicate the Rights of a People miserably oppressed by their King, the People *so* oppressed may run in to him, and seek to shelter themselves from Ruin, under his Protection ;

Protection; he being in that Case to them, *like the Shadow of a great Rock in a wearied Land*. And if, having fled to him for Shelter, the Necessity of Affairs make it absolutely necessary for them to own him as their King, they may at last accept of him as such, as having one of the best Titles to it in the World; namely, that of a *Deliverer*. For, if the very *End of all Government*, be the Safety and Preservation of a People; 'tis certain that a People, ready to sink under an impending Ruin, may lawfully consult their own Safety and Preservation, and not be under any Obligation, from Oaths or any thing else, not to accept of the *only* means that lead to it.

But of this Maxim, *That the King can do no wrong*, there is another sense; which is this, That the King can do no more, than he can *legally* do; according to that known Saying among the Moralists, *id possumus tantum, quod jure possumus*, we can do only that, which we can Rightfully and Lawfully do. In which Sense, this Maxim is not more verified of the *King*, than of the *Subject*; who can no more do wrong than the *King* can.

But if this be made the Sense of the Maxim, it may then be demanded, What Power or Privilege the *King* has above the *Subject*? why, just so much as the *Law* gives him, and no more, which is enough of all Reason; the Prerogative *it* has intrusted him with being *vastly great*, but yet not *boundless*, it being put into his Hand for the *Safety and Security* of the Subject, and not for the *Destruction* of him, or to enable him to do him *Wrong*; It being not possible for the Law to give *any* Power either to destroy it self, or those, whom it designs to Protect: So that in any other Sense, but this, 'tis not only *possible* for a King to do wrong, but Experience has taught us (and that very lately too) that 'tis nothing more than what *has* been done by him. And 'tis not enough to excuse his doing of it, to Shift it off to his *Ministers of Justice*, and say it was done by *them*, and that therefore *he* had no hand in it; for if *he* may properly enough be said to do an Injury, who does not hinder it when 'tis in his Power so to do: Much more properly may this be said of *him*, who does not only not *hinder* it, when 'tis in his Power, but even *Commands* the doing of it.

There is but one Sense more, (that I can think of at present) of which this Maxim, *That the King can do no Wrong*, is capable of receiving; and 'tis this, namely, That the Law, by a favourable Construction of things, Supposes the King to be always so tender of
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the *good* of the Subject (whose Interest is so much the same with his own) as never to have it in his *will* to do him wrong: And in this Sense, we say, a good Man *cannot* do an ill Thing, because he can never find in his Heart, or ever have a *Will* to do it.

And if we thus understand this Maxim of the Law, and, according to this Sense thereof, say, The King can do no Wrong, 'tis undoubtedly verified in the present King; who out of his Natural Love to Justice, 'tis certain *can* do none.

The Third Maxim of the Law, which the Author takes notice of, is, That *Nullum Tempus occurrit Regi*: Which the better to serve his lie Insinuations against the present Establishment, he Interprets thus; That no Length of *Usurpation* can prejudice the King's Right.

Now though the plain English of the Words be no more than this, That no Time *occurs* to the King; yet since he is pleased to interpret *nullum Tempus* by *no length of Usurpation*, I readily concur with him in asserting the Truth of this Maxim, That no length of Usurpation *can* prejudice the King's Right. And, to convince him that I do so, I shall for the better establishing of his *Maxim*, but not of his *Hopes*, put this Case to him, and suppose for once, The Late King to be, by the Help of the French Power from abroad, and of the *Lovestein* Party at Home, got into the Throne; where, the better to support himself, and establish that Arbitrary Power he reach'd after before he left us, he sets aside the *Laws*, and instead of Governing by *Parliaments*, sets up a *Standing Army* to Govern the Kingdom by. Now this (if our Author please) would be such a kind of Usurpation, as no length thereof could prejudice the Kings Right: and therefore if supposing him to have withdrawn himself into *Holland* for a Time, he should in Process thereof find an Opportunity of delivering his Subjects from the Oppression they lay under, and of restoring them again to those just Rights and Liberties they before enjoyed; in this Case indeed the Subject was immediately obliged to return to his Duty of Allegiance, notwithstanding any Oath that might have been extorted from him, and he was forced to take, during the Time of this Usurpation.

But this Case of Usurpation I shall have occasion to consider more at large, when I come to call this Author to an Account for some other wild Notions of his concerning the present Settlement, having here only considered it, as one of those three Maxims of Law,

which, from the *Authority of the Author of the Dialogues between a Doctor of Divinity and a Student in the Laws of England*, he looks upon as equivalent to a Statute, and all Inferences, drawn from them, of equal Force with the Principle : And so let him look upon them still, and make the most he can of those Inferences I have now drawn from them : In the mean time, to proceed with our Animadversions, let us consider what we meet with in the 5th and some following Pages of his Book ; where he takes occasion, from the Doctor's absurd Notion of Power, to fall into a Ramble of such Consequences, as he conceives may most invidiously reflect upon the present Establishment : Of these he has drawn only six ; but might have drawn as many more as he pleased, since he knows very well, (being well versed, I find, in Consequence) that *dato uno absurdo, mille sequuntur*, upon the granting one Absurdity, a thousand will follow. But his Design in these six he has drawn, was not to draw upon the Doctor, but covertly to do the best he could by every one of them to make so many Thrusts at the Settlement : However, since he is so ready at drawing of Consequences from the Doctor's false Notion of Power, I shall endeavour, in the first Place, to give him a true Notion thereof, and shew him when 'tis a certain Sign of God's Authority ; which when I have done, I shall then be for drawing of Consequences, as well as he ; and for considering likewise those that are already drawn by him.

Now Power may be considered either in a *Natural* or *Moral* Sense ; whereby I understand a Power to move, or think ; *Thinking* and *Motion* being two Ideas, which comprehend in them all the Action that is in the World ; the source and beginning of all which Action is *Power* ; which being therefore considered in a *Natural* Sense, is nothing else but that active Principle in things, whereby Motion is produced by them ; and since all things that are in the World either *Live*, *Move*, or have their *Being* in God, 'tis certain that of all *Phylical* Motion *God alone* is the Author ; he being (as *Aristotle* speaks) τὸ πρῶτον κινεῖν ἀκίνητον, the first mover *immoveable*. But since this is on all Hands agreed, so as to leave no Room for Dispute, this cannot be the Power we are at present concerned to Dispute about.

And therefore secondly, Power may be taken in a *moral* sense, and as *Mankind* alone are concern'd in it, and so 'tis nothing else but that active Principle in Man, considered in him, as a Power to do either good or evil, but not necessarily determin'd to either part of
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the opposite side; the *determination* of this Power to evil at any time being from Mans self alone.

So that in *this* sense, as well as in the *other*, all Power *undeterminedly* considered, is here likewise again from God. But then, since *nothing* is from God, but what is *good*, and the *evil* of every action is from *Mans self alone*; 'tis plain that this *moral* Power in Man, wherever it exerts it self to good, has its Warrant from above, and that the *goodness* of the action produc'd by it, is a sure and certain sign of God's Authority; from whom *every* good and perfect Gift cometh. Whereas, on the contrary, whenever it exerts it self to evil, 'tis Man's own abuse of the Power that is given him; which being a *Sin*, God can no more be said to be the Author thereof, than of any other Sin whatsoever. So that the notion of Power being thus stated and cleared, and the *goodness* of the action proceeding from it, being shewn to be the only sure and infallible sign we have to judge of God's Authority by; Let us, in the first place, see what will be the consequence hereof as to our present Settlement; that so we may be at leisure in the next place to consider, what will become of all those wild Inferences our Author has made with Relation to it.

Now if we take our measure of Power from the *goodness* of the action, the consequence hereof, as to the present Settlement, will be this; that if to *deliver* a People from Violence and Oppression, and to *restore* them to their just Rights and Liberties be a *good* and *laudable* Action, then had the *power*, that was employ'd *herein*, its Warrant from above; the *goodness* of an action being, as we have said, that sure and infallible sign we have to judge of God's Authority by.

But here possibly it will be objected, that though the *design* of this undertaking in the Prince was *Brave* and *Generous*, and the *Success* answerable to it, yet that (according to the Apostle's Rule) *No Man ought to do evil, that good may come of it*. I grant it; and do therefore deny that there was any thing of evil in what the Prince did. For the *measure* of all evil is some *Law* or *other*. Now what *Law*, I pray you, did the Prince violate in this Undertaking? Was it the Law of the Land? No certainly; our Author cannot say it. For he was no farther concern'd in *all*, or *any* of the Laws of the Land, than out of a *generous* Inclination for them, to endeavour to preserve them. Again, was it the Law of *Nature*, or of *Nations* that he hereby violated? No certainly; for these rather *encourage* than
forbid

forbid the endeavouring the Relief of a distressed and miserably oppress'd People. Again lastly, was it the Law of *God* he hereby violated? Why, here again upon our most diligent search and inquiry into the Will of God which is his Law, we must be forc'd to return the same Answer, and say, no certainly; for God always willing the *good* of Mankind, as the very *end* of that Ordinance of Power he has set over them, cannot but be suppos'd ever to will all *those necessary* means that at any time lead thereto.

Now against this that hath been said, I know but of *two* Objections, that can, with any shew of Reason, be pretended; and *they* are, that at the time, when the Prince undertook this Design, there was *then* a *King* that actually fill'd the Throne, and a *pretended Prince of Wales* to succeed him in it, in case he surviv'd him: And therefore that without doing *manifest* Injury to these, he could not do much as *attempt* the doing of what he did.

To the first of these Objections I answer thus, that the *supposed* Right of the pretended Prince of *Wales*, was so far from being a *Bar* to this undertaking, that it was a very *justifiable* Reason for it, in order to vindicate the Right of the Princess, the Queen that now is. For *She* upon a supposal of no Males being born, having an *uncontested* Right to the Crown after her Father, and such as the *whole* Nation was fully satisfied in, could not have it set aside or post-pon'd by *any*, that was not so *clear* and *satisfactory* to the Nation, as was her *own*, which 'tis plain the pretended Prince of *Wales's* never was; two thirds of the Nation and more, being, I am confident, altogether *dissatisfied* with it; and this was what the late King very well knew; and therefore *had* his Queen been with Child, as was pretended, the *only* way left him to have satisfied the Nation that *She* was *so*, was to have call'd his *Parliament*, and to have left it to *them* to consider what Methods were to be taken to put an end to the contest then on foot: For the matter in doubt being a *national* concern, it was altogether necessary, that those that were dissatisfied (especially since they were much the greatest part of the Nation that were so) should receive satisfaction in a *national* way, that is, by the determination of their Representatives in *Parliament*. And indeed, if when several Titles to the Crown are set on foot, it be the *Parliament* alone, that *can* and *must* decide the Controversie, *so* as to make all contending Parties quietly sit down and acquiesce in the Decision; I see no reason that can be given, why *their* *Decision* was not alike necessary in the case we are considering, when 'twas

'twas plain that nothing *short* of such a Decision was ever likely to put an end to the matter in Debate, or quiet the Peoples Minds concerning it. But now the late King was so far from taking *this* Method to give satisfaction herein, that he took the direct contrary, and such only as tended to the Nation's greater *dis-satisfaction*, by continually putting off from time to time the *Sessions* of Parliament. And though in that *hurry* the Nation was then in, there was rais'd such a Dust, as blinded the Eyes of a great many well meaning Persons, and made them not know well what to think of this Matter, yet *after* the hurry was over, and the Dust so well laid, as to have a *clearer* light to view things by ; the whole thereof appear'd so like a contrivance, that they could not but look upon it as a meer Trick and Artifice of the Papists ; the readier to introduce into this Nation that Popery and Arbitrary Power, they were in such great haste to have had set up in it.

But be this matter of Fact what it will, it matters not ; for since a *contested* Right to the Crown can never take place of one that is not so, unless in a *Parliamentary* way ; 'tis certain that the *pretended Prince of Wales* had no Injury done him by the Prince's undertaking ; the vindicating the *uncontested* Right of his Princess, the Queen that now is, being a *sufficient* Ground for it. Hitherto therefore there appears nothing in the undertaking, but what was *justifiable*.

But if in this Undertaking, there was no Injury done to the *pretended Prince*, and consequently the Objection made against it upon that account, be *sufficiently* answer'd ; what shall we say to that other Objection of a *King's* being then in Possession of the Government ? Was not the apprehension of doing Injury to him a just Bar against it ? No certainly, it was not.

And for the more *unquestionable* proof hereof, and to satisfy the most *scrupulous* and *tender* in this point, I shall not (as some do) proceed upon that Principle, which makes the *Male-administration* of Government to be a *just* forfeiture of all Title to it ; those who think that the best way of proceeding, and believe themselves able to remove all the Rubs they shall meet with in it, may choose it, if they please ; provided only they will leave me to a like liberty of choosing mine, having perfectly the Traveller's indifferency in me, so as not to be concern'd for one way more than another, but only upon the account of its leading me to Truth ; which I do not think the above-mentioned way of Proceeding will do. Though I must confess that if ever any *Male-administration* of Government

did amount to a forfeiture of Title to it, 'twas that of the Late King's Reign. But this, I say, is not the way I intend to proceed in, being not satisfied *when* such a forfeiture is incurr'd, nor to *whom* it is made, nor *who* may take the advantage of it, nor in *several* other things, that might be objected against it. Which Objections, since I am not concern'd in the making of, I do not think my self concern'd to give any Answer to.

To plain therefore the way for the Prince's coming to the Crown, and to shew that by his Accession to it, there was no Injury done to the King then in Possession; I shall consider the *Progress* of the Revolution *step by step*; and endeavour to make it appear, that the Prince, in the whole *Course* thereof from his first setting out to all that afterwards follow'd on it, made not so much as one *false* step in it.

To take our rise therefore from the *beginning* of his Undertaking; and what was *that*? But meerly to save a sinking Nation from *imminent* and *independent* Ruin, as also to restore a People to their just Rights and Liberties, and to *settle* a Government, which the *precipitate* Counsels of the late King had given so great a shock to. That this was his *first* Design and Intendment, and not taking the Crown on him, is evident from his *Declaration*; wherein it plainly appears that the Design of his undertaking was no other, but that a *free* Parliament being call'd, all Matters in dispute between King and People might be adjusted, according to the *known* *standing* Laws of the Kingdom.

Now what was there in all this, but what was agreeable to the Laws of *God*, *Nature* and *Nations*? For was not *this* a very *laudable* Design? a *brave* and *generous* Undertaking? And was not the *endeavour* therefore of bringing it about, *such* an Action as we cannot have in our Eye, but we must immediately look on it as warranted from above? and from the *goodness* thereof, conclude that the power it proceeded from, had *God's* Authority to back it by? Yes doubtless must we. But what follow'd upon this? Why! the King at *first* indeed was, by the advice and importunity of some of his Friends, prevail'd upon to call a Parliament, and accordingly issued out his Writs for the Meeting of it; but soon after falling into the Hands of those, whose Councils he was all along inclin'd to hearken to, he was advis'd to go over into *France*, and take his Measures from the French King: which accordingly he did; having first suppress'd his Writs, and disbanded his Army; being perswaded by
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those that were about him, that upon his going off, he should leave us in such confusion, as that, by the help of the French Power, he should in a little time return again upon his *own* Terms.

The Government therefore being now left to shift for it self, and all things in it thrown into great disorder, what *better* expedient cou'd be thought on to allay the ferment that was in the Nation, and set bounds to the Fury and Madness of an insulting Rabble, and still the raging of it, than for the Lords Spiritual and Temporal to draw up a Petition to desire the Prince to take the Government on him? Which was a Petition as *good*, as 'twas *great*, and every way worthy both of *them* that made it and *him* that granted it. And though some, who put their Hands to it, have since by their carriage to his Majesty, sufficiently shewn that their *Hands* and *Hearts* did not go together, and consequently that their being sent to the Tower was only a trick of State in those that sent them, in order to make them more popular; that being *so*, their Interest with the People might be more covertly made use of to serve the Designs of a Party that were for establishing Popery and Arbitrary Power by a Law (their close adherence to that Party ever since his Majesty's Accession to the Crown, being but too plain an Indication, how serviceable they would have prov'd for the Design then on foot) however this be, I say, yet was the Petition very *honourably made* and *granted*; and was *such a Determination* of the Will to *good* on both sides, as may justify the *Power* it was done by, and make us look upon it as sufficiently warranted from above.

In the Revolution therefore *thus far* consider'd, there appears nothing in it but what was *justifiable*.

The next thing that was done, was the convening the great Council of the Nation to consult what *farther* Methods might be taken for the Preservation of the Establishment: Who being met, great Debates arose amongst them, before they came to a Resolution to fix upon the *likeliest* Means to serve the *great End* they were met for; some were for calling the King back, others again were for a *Regency*; either of which, had they been consented to, would *certainly* have ruin'd us. For can it be imagined, that one, who was bent to *subvert* the Establishment, and in *pursuance* of his Resolutions went over to the French King to take his Measures from *him* about it, would ever be brought to think of returning for the *Preservation* of it? Again, what would a *Regency* have tended to, but only to have divided the Nation, and made so wide a Breach between the two

contending Parties among us, as would have given our Enemies the Advantage of an *easy* Entrance at it, and of effecting the *Ruin* of the Establishment *intended* by them ?

These two Projects therefore in behalf of the Government, being *deservedly* rejected, as no ways consistent with the *Safety* of it, it was resolved, That the Throne being *vacated* by the late *Kings withdrawing himself*, the Crown should be placed on the Prince's Head, as the *only* Expedient that could be thought on to save both *us* and *him* from *Ruin* : Which as nothing *short* of this could have done, so was not the doing hereof by this Means any Injury to the Late King : For though I do not place the extinction of his Title to the Crown in any *male-administration* of the governing part that does of Right belong to it ; yet I *do*, and *must* place it in his *utter Refusing* to govern at *all* but upon his *own* Terms, and upon his *abandoning* the Government thereupon, and his bringing it thereby into *such* Streights, as made it *absolutely Necessary* for the People to Consult its Preservation by giving it up into the Hands of the Prince ; who for that *Reason only* accepted of it.

And thus I have considered the whole Progress of our late *providential* Revolution, and each particular *Movement* thereof from the beginning to the end, and have found that the *Motions* that tended to bring it about, proceeded from a *Power* always determining it self to *good*, and consequently from a *Power* that was warranted from above, and such as wanted not *God's Authority* to back it by.

But if after all that has been hitherto said for its Vindication, there appears to the *undiscerning*, some *seeming Irregularities* in it, and such as they cannot judge *God* to be the *Author* of, 'tis because that being to carry their Eyes over a *long Train* of Causes, they are either too *Short* sighted, and so not *able*, or too much *prejudic'd*, and so not *willing* to look to the *End* of it.

As to the former of these, the Defect being in the *Judgment*, nothing that can be said will be sufficient fully to satisfy them in this Matter ; the best way therefore for *them* not to be *mistaken* in it, will be to *suspend* their Judgment, and not to judge one way or other ; or if they do, to judge only for *themselves*.

As to the latter, whose Defect is in the *Will*, and who may therefore discern things aright, but *do* not, the readiest way for *them* not to *judge*, as well as not to *do amiss*, is to have their Eye upon the *End*. There being many things *unlawful* when considered abstractedly

edly from the *End* they serve, which with Relation to their *End* are very *justifiable*. Thus for instance, in a Nation's Undertaking a War either for the Recovery, or Preserving its just Rights and Liberties, how many Lives of *Innocents* may be destroyed, and yet the Persons that destroy them be as *innocent* upon that account, as the very *Innocents* destroyed by them? So that having our Eye fixed upon the *End*, we see plainly that several Actions in themselves evil, are not so, when considered with relation to the Good of the *End* they serve: Which Good the *greater* it is, the *greater* still must be the *Compass* of the Action, that is allowed for the obtaining of it. Now the Good of the *Community* (which is the very *End* of Government) being, next to *God*, the *greatest* Good upon Earth; what a *vast Latitude* must it leave to all kind of Actions, Moral, as well as Natural, confining the *Compass* thereof to no other Measure but what it self gives? For this being a good *Superior* to all others, 'tis certain that the Obligation we are under to a *Pursuit* of it, must remove the *Boundaries* of Duty in *lesser* Instances; and, in order to remove all *Scruple* of Evil, make all such Actions as *necessarily* lead to it, *justifiable*. So that though we are always under the Obligation of the Apostle's Rule, *never* to do Evil that Good may come of it, yet are we not *ever* the less free to Act for the *Publick Good*: Since Actions otherwise Evil, cease to be such, when so *great a Good*, as is that of the *Community*, is concerned in them. Upon which account alone it is, That *Reasons* of State oftentimes take place of *all other Reasons* whatever.

And thus having shewn that the King's Accession to the Crown was in every step he took towards it, very *justifiable*, and that there lay no *Bar* against it, either from the Right of a *pretended Prince* of Wales, or from any Claim that could be made by the Late King, and having from thence deduced a *true* Consequence of things from a *Right* Notion of God's Power and Authority, I am now at leisure to reckon with our Author for those *wild* and *extravagant ones* he has drawn from the Doctor's *absurd* Notion thereof.

First therefore, whereas he tells us, That upon the Doctor's Notion of Power, *The best Title may be defeated*, and that without any *antecedent Injury, Consent, or express Revelation from God*, We answer, That upon our Notion thereof, the best Title neither *was*, nor *can* be defeated, but upon some such Considerations, as our Author Mentions, or something equivalent to them; and therefore the late King's Title, be it is as *good*, or the *best* that ever was, *was*

certainly extinct upon his *quitting* the Government, and putting the Nation under an *inevitable* Necessity either of accepting the Prince for their King, or of seeing themselves ruined by the French Power. So that though a Man *may* have *Right* to a thing longer than he *can* keep it (which upon the Doctors Notion of Power, he tells us a Man has not) yet certainly he can have none longer than he *WILL* do so.

Again, whereas he tells us, that upon the *Doctor's* Principle, *The Advantages of Success are always to be interpreted the Gifts of Providence*; it certainly follows upon ours, That they are *never* to be interpreted so, but when the Actions that lead to it, are *good* and *justifiable*, and consequently have God (the Author of every Good and Perfect Gift) to justify and give Authority to them.

Again, though the *Doctor's* Notion of Power may (as our Author tells us) *Condemn a Man to Poverty for being ill-used, and may likewise make a Prince forfeit for no other Reason, but because his Subjects were disloyal*; yet ours does no such thing: Yet it leaves a Man to become Poor that has a *Mind* to it, and to use *himself* ill if he please: For if a Prince *will* forfeit, who can help it? 'tis much better he should do so, and his Subjects be *reputed disloyal*, than to keep *him* in Possession *against* his Will, only to make themselves *Slaves*.

In what follows, our Author endeavours to gain an Advantage from an Objection he thinks might be made against him; which he thus proposes; *if it be said that an Unjust Seizure of a Private Estate extinguishes no Title; but for the Peace of Mankind, God has so ordered it, That whosoever Possesses himself of a Government is immediately the proper owner. That it is not thus ordered*, he tells us, he shall prove *more at large afterwards*: Now all the Pains he has been at in proving this, he might very well have *Spared*: For we say that an *unjust* Seizure does no more extinguish a Title in a Man's possessing himself of the *Government* than it does in seizing a *private Estate*; and therefore we not only *affirm*, but have sufficiently *proved* it, by what has been already said, That the Late King's Title to the Government *was extinct* before ever the Prince entred on it, by his *throwing* of it up and *refusing* to govern but upon his *own Terms*; and having said and proved thus much, I shall endeavour to satisfy him in what he desires to know; as namely, *Whether God loves Peace more than Justice, and whether he delights to see Men Brethren in Iniquity, and to combine for the Support of Violence*. In answer therefore to these *Queries* of his, I say, that Peace and Justice being both very good Things, God

God loves *both* alike ; and that *Peace* being so *desirable* a Good, God loves *War* too for the sake of *Peace*, and delights to see Men that are Brethren, dwell together in *Unity*, and in their *common* Defence join with their *Deliverer* for the Support of themselves *against Violence*. And whereas he demands again, *Whether it be for the Peace of Mankind that great Thieves should be Rewarded, and little ones punished; and whether a Man that Steals a Horse must suffer as a Felon, but he that steals a Kingdom, and flies at a nobler Quarry (which is all but a Flight of the Author's Fancy) must be Worship'd and obey'd, though the right Owner be still Claiming, Contesting, and in View?* I answer, That great Thieves are to be punished, as well as little ones ; and therefore did *Oliver*, who stole the Kingdom, deserve to be hanged, as well as *Blood*, who stole the Crown : And had the Right Owner, who was then *Claiming, Contesting* and *in View*, been again instated in his just Right, *Oliver*, who was still but a Subject, and consequently no more than a prosperous Rebel, must have Died for it. But how is a *Sovereign Prince* concerned in any thing of this ? who has not *stoln* a Kingdom, but *delivered* it ; and to render his Right *unquestionable* to it, has had the *free* Consent of both Houses in *Parliament*, concurring with the Divine Providence, to settle him in the Possession of it. So that there is not *now* the least room left for our Author to *wedge in* the Right of another ; and therefore is the Owner's Right, who (as he tells us) is still *Claiming, Contesting*, and *in View*, as much out of Doors, as is the Owner himself.

As to what follows, where our Author takes occasion to run into a wild Ramble of Discourse from the Dr.'s mentioning the word *Enthusiasm*, all that I shall say, is this ; that he himself seems to me to have a large share of that *Enthusiasm*, he tells us he finds the *World* to be over-dos'd with : And he being indeed one in the number of this large Bedlam, the *World*, I do not well see how it should be otherwise with him.

The next Consequence he draws from the Dr.'s Principle, is that upon Supposition thereof, there can be no such thing as *Usurpation after Possession* ; which he says, is not only *contrary to the Language of our Laws*, but to the *common sense of Mankind* ; it being generally agreed by those, who have any notion of *common Justice and Morality*, that what is *Unlawful to take away*, is *Unlawful to keep* ; which must be allow'd he says to be true, unless violence and ill usage are *valuable Considerations for the conveying of Property*. Well, let these, and a thousand such other absurd Consequences follow upon the Dr.'s Principle,

ple, there will not one of them follow upon ours : But I will tell him what will follow, that in the Case we have been considering, there was neither Usurpation *before*, nor *after* Possession, but the whole of what was done, was not only agreeable to the *Language* of our *Laws*, but likewise to the *common sense* of Mankind ; it being generally agreed by those, who have any notion of *common Justice* and *Morality*, that what is *lawful* for a Man to *take*, it's *lawful* for him to *keep* ; and therefore though *violence* and *ill usage* be not valuable Considerations for the conveying of Property ; yet the *delivering* a People *from violence* and *ill usage*, and the restoring them to their just Rights and Liberties are *very valuable* Considerations for that purpose.

So that though upon the Dr.'s Principle a Man coming into Power *unjustly* may have a fair claim continued against him ; yet when his coming into it is *just*, and his Settlement therein *Legal* (as I have shewn the Prince's was) I hope this Author will allow his Title to it to be *clear* and *uncontested*, and that an *unjust* claim continued against it ought to cease. And therefore however the Dr.'s coining a Distinction between a *legal* and a *divine Right*, and his making God to be the Author of the *latter*, when he is not of the *former* (who yet cannot be the Author of either *alone*, but must be so of *both together*, or of *neither*) is so far from doing execution on the difficulty he endeavours to solve by it, that it involves him in the *contradiction* of engaging God's Authority on *both sides* ; yet where there is *no distinction* of these Rights, but *both* meet together to *establish* the Power of a Person on the Throne, as they do at present in establishing the Power of him that is plac'd on it, the Author may free his Thoughts from all such incumbering difficulties as engage God's Authority on *both sides*, and plainly see that it was engag'd on *one side only*, and that certainly was on the side the Prince was of.

A third Consequence drawn from the Dr.'s Principle, of *Power being a certain sign of God's Authority*, is, that it destroys the nature of *Repentance* ; whereby he says, it's generally understood, that every one is bound to restore that, which he has *unjustly* taken away ; but now upon our Principle, *That Power does then only belong to God, and is a certain sign of his Authority*, when 'tis determin'd to *good* ; nothing of this will follow ; but it will from thence follow, that a Man, to *defend* the Rights of others, may *take up* the Sword which another has *thrown away*, merely because he was not permitted to do

do much Mischief with it, and not be bound to Restitution; and that Repentance accompanied with *Restitution* in such a Case would be but a ridiculous piece of Folly, and such a Repentance only, as was indeed to be *repented of*.

Again fourthly, this Principle of the Dr. he tells us, *That it is in the Subjects Power to depose their Prince when they please; he does not say it makes it lawful for them to undertake it, for that, says he, would be to mis-represent the Dr. but when 'tis once done, his notion of Power and Settlement confirms their Injustice and ratifies their Treason, and by consequence makes a standing Army necessary.*

Now let all this follow upon the Dr.'s Principle; that which follows upon ours, is that it is in the Power of the Subjects to join with a *Sovereign Prince* for the preservation of their just Rights and Liberties; and that if their own Prince, rather than not effect the ruin of *these*, will leave his People and depose himself, he may do it if he please; and where this is done, the Settlement that follows thereon confirms the *Justice* of the Subjects Proceedings, and ratifies the *Legality* of them, and by consequence makes a *firm agreement* among themselves to defend the Establishment, much more necessary than a *standing Army*.

Again fifthly, this Principle of the Drs. he tells us, *cantonizes Kingdoms and removes the Boundaries of Dominion.* For if, according to the Dr. Power be a certain sign of God's Authority, then ought we, says he, to submit to every one who challengeth the name of a King, though for never so small a Precinct, if he has but Force to back his Pretensions: And by consequence every Parish may set up for an independent Government; and we may be oblig'd to swear Allegiance to a Constable. Well! let all these consequences fall with the full weight upon the Drs. Notion of Power, and break it into as many Pieces, as that would cantonize and crumble Kingdoms into; since we are for no such Power, as either cantonizes Kingdoms, or removes the Boundaries of Dominions; nor are we for submitting to every one, that challengeth the Name of a King, and hath nothing but force to back his Pretensions by, or for setting up an Independent Government in every Parish, and swearing Allegiance to a Constable. But the Power we are for, is that which, we hope, will by the concurrence of a Power Divine, prevent the French King's cantonizing these Kingdoms between him and his Adherents, and hinder his removing the Boundaries of their Dominion; and the King we are willing to submit to, is one that has all the Right that either God or Man can give

give him to back his Pretensions by. Whom therefore we ought all to obey, and are by all the Obligations that can be laid on us, bound to swear Allegiance to. So that though God's Authority be not always visible in *Power* (as the Dr. would have it) yet in the *Power* he has set over us, there are such visible Marks of his Authority, as that we cannot, without the guilt of resisting the *divine* Ordinance, oppose our selves against it. As to what our Author observes of *Seas, Rivers and Mountains*, namely, that tho' they are the usual *Barriers* of Empire and Jurisdiction, yet that they ought not to hinder *divine Right* from taking place; nor shut *Providence* out of the World, 'tis what we readily agree to; and are therefore heartily glad that *that* which in our late happy Revolution was a Barrier to the *French Power* from entring our little World, was not so to the *divine* as to shut *Providence* out of it, but that it made its way over the *Sea* to us, and came in with the *Prince* to save a Nation from perishing.

Again lastly, this Principle of the Dr. he tells us, gives *Thieves and Robbers* a good Title to whatever they can *Steal and Plunder*. The Dr. says he, was sensible of this inconvenience, and therefore endeavours to remove it; but without success; offering only to shew a disparity between *common Thieves and Usurpers*. Now I am contented that the disparity between these should be no more than what our *Author* makes it; namely, that the *Usurper* is only the *greater Thief and Robber* of the two; and consequently that his Title to what he possesses, is no better than *theirs*. All which may readily be granted to our Author, without any Impeachment to the present Settlement: Which I do not with the Dr. place upon an *Usurpation* (that being too weak a Foundation to rest so well-laid an Establishment on) but on the *free* consent of the Nation, concurring with the *divine Providence* to make a Settlement; by resting the Government on the Shoulders of *him*, who was alone able to support it. So that the present Settlement being fix'd upon the Basis of a *divine* and *legal Right*, and his Majesty's Title to the Crown as good as God and *Man* can make it; Our Author, from the Doctors Principle, may, *without Opposition*, go on to prove, That the Title of *Thieves and Robbers* to whatever they can *steal or plunder*, is as good, as an *Usurper's*; since 'tis what we *readily* concur with him in. But then let him not take it for granted (because he is never able to prove it) that there is any *Usurpation* in a *Settlement*, Divine Providence has so signally appeared

peared in the *making of*, and which, has such visible Marks of God's Authority stamp on it. Let the Doctor's Principle therefore of making *all Power to be from God*, give a good Title to whatever *Thieves, Robbers, Tyrants, Usurpers*, and the like Enemies to the Common-weal, can possess themselves of; 'tis certain that ours (which makes *no Power to be from God*, but that only which tends to the *good of Mankind*) gives no such Title to *all*, or *any* of these; but on the contrary makes the *Use of all such Power* a plain *Abuse* thereof, and consequently to be so far from owing its Original to God, that if it owes its Rise to any higher Principle than Man's self alone, 'tis to the *Devil*.

Now if this be the true State of the Case, as most certainly 'tis, then may I safely entitle God's Providence to our Late Revolution, the whole circuit thereof from the Beginning to the End of it, proceeding (as he has been before shewn) from a *Power all-a-long* exerting it self to good, and may consequently therefore challenge our Author to shew *any Usurpation* in our Late Settlement; unless a *Power*, exerting it self to the *good of Mankind*, may be shewn to be the same with *that of an Usurper*; and *God himself*, the *good*, as well as *great Governour of the World*, be made to share in the *Usurpation*.

And thus having consider'd our Author's six Consequences drawn from the Doctor's *absurd* Notion of Power, and blown up the whole Train of them, so as to hinder them from doing any Execution on the Government, I should now proceed to make some farther Animadversions on his Libel; but finding the whole thereof to be meer *Cartage*, and to be filled with such Stuff, as is already animadverted on; I shall neither trouble my self, nor Reader any farther in this Matter; but, without using much Ceremony to the Author, take my Leave of him, as soon as I have answered one of his *man* Queries he puts to the Doctor at the End of his Libel; and that is, *How a Convention cou'd sublimiate it self into a Parliament*; that is (*as he explains himself*) *how a private and illegal Assembly cou'd give it self the Privilege and Authority of a Law?*

Now to give an Answer to this *State Emperic*, and *Quack of a Politician*, that talks of a Convention's Sublimating it self into a Parliament, I must tell him, That Necessity, as he very well knows, (if he knows any thing) has no Law: and consequently, That the Meeting of the Convention was an Assembly no more *Illegal* than *private*; being neither *one*, nor the *other*. For where no *Law* is

(as in the Case of *Necessity* there can be none) there's no Transgression. So that the *Illegality* of the Convention's Meeting was superseded from its being *necessitated* to meet : As *was* likewise the *Illegality* of the People's Choice, he speaks of, from that *inevitable Necessity* they were under of either choosing a Convention, or of being ruin'd for want of one. But if this Answer does not satisfy our Inquirer, let him then tell me, why in the conduct of the *natural* World, *heavy Bodies*, rather than admit of a *vacuity*, do, contrary to the *fix'd* Laws of motion move *upwards* ? Which when he has done, I will then undertake to account for the conduct of Motion in the *moral* World ; and tell *him*, why, as well as how, the *Convention* did *sublimate* it self into a *Parliament*, and, agreeable to the *general* Laws of the Constitution, though contrary, it may be, to *some particular* ones thereof, did fill the Throne with a *good* King, when 'twas vacated by an *ill* one. In the mean time I shall leave him to his Liberty either to take the Answer that has been given him, or, at his leisure, to require another from one, whom he will find a true Friend to the present Settlement, and no farther an Enemy to *him*, than he is *so* to his *King* and *Country*.

T H E E N D.

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